

REMARKS

Claims 1, 8 and 12-17 remain in the application. Claims 2-7 and 9-11 were canceled previously. New claims 12-17 have been added.

The Examiner objected to the original drawings because the reference character "16A" was used to designate both an outer sheet and a lateral edge.

The Examiner's careful review of the drawings is appreciated. Replacement Sheets for FIGS. 10A-C, 11A-c, 14A-C and 15A-C are entered to correct this numbering error. The only changes to the drawings relate to replacing the reference character 16a with the reference character --16e-- in each of FIGS. 10A, 10B, 11A, 11B, 14A, 14B, 15A and 15B. Entry of these Replacement sheets is requested.

The Examiner noted spelling errors on pages 5 and 16.

Once again, the Examiner's careful review of the specification is appreciated. The undersigned U.S. counsel and Japanese counsel for the applicants also have conducted a careful review of both the specification and the claims. As described further herein, the claims have been amended to define the invention more clearly and to conform more closely to the specification and figures. The specification has been amended throughout to address the spelling mistakes noted by the Examiner and to conform to the figures. Although each of the specification amendments is minor, there are many such amendments. Accordingly, it is believed that these extensive minor revisions to the specification can be handled most efficiently by submitting a substitute specification. A marked copy of the original specification is attached to this Amendment to show the changes and a clean copy also is attached to incorporate the changes shown on the

marked copy. The undersigned attorney hereby confirms that the substitute specification does not enter new matter.

Claims 1 and 8 were rejected under 35 USC 112, second paragraph as being indefinite. The Examiner identified specific language that was considered to be unclear.

Claims 1 and 8 have been carefully reviewed and amended to define the invention more clearly. In this regard, the absorbent body of claim 1 and the cover sheet of claim 8 have been defined as having opposite front and rear ends and opposite first and second sides extending between the ends. These directional and locational terms provide a frame of reference for the claimed subject matter. The originally recited "primary elastic member" in each of claims 1 and 8 now is defined more clearly as "right and left primary elastic members", as shown in the figures.

The objectionable phrase "extend a given length approximately linearly in an approximately laterally central zone" has been deleted. Claim 1 now positively recites that "each of said primary elastic members has an approximately linear portion in an approximately laterally central zone of said back portion inwardly of the opposite first and second sides." Similar language has been added to claim 8, but with reference to the cover sheet, rather than the absorbent body. It is believed that the previous recitation of the "opposite first and second sides" provides appropriate support for the claimed "laterally central zone".

The alternately defined phrase "extends forwardly from the front end of said linear convergent portion in a forwardly divergent pattern and/or rearwardly from the rear end of said linear conversion portion in a rearwardly divergent pattern" has been amended to define "at least one divergent portion extending from the approximately linear portion

towards at least one of the front and rear ends" and "outwardly to define at least one divergent pattern."

It is believed that each of the amendments set forth above is clarifying in nature, but is not necessary to distinguish over the cited art. The narrowing amendments that are entered to address the prior art rejection are considered in the following paragraphs herein.

Claims 1 and 8 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent Appl. Publication No. 2002/0010455 to Hermansson et al. The Examiner identified the elements of the Hermansson et al. reference that were considered relevant to the original claims 1 and 8.

Claim 1 has been amended to define the right and left primary elastic members as being "attached in their stretched state to a back portion of the absorbent body." Similarly, claim 8 has been amended to define the right and left primary elastic members as being "attached in their stretched state to said cover sheet." The primary elastic members also are defined in amended claim 1 as "keeping such a constant distance from the other primary elastic member as to allow a central zone of a skin-side surface of said absorbent body between said right and left primary elastic members to be formed as a raised portion by an action of a contractile force in said approximately linear portion." Similar limitations were added to claim 8, but with reference to a skin-side surface of said cover sheet. As a result, amended claims 1 and 8 now positively define the formation of the "raised portion" in the central zone. This "raised portion" facilitates the close fit of the absorbent body to a central area of a crotch region of a wearer.

In contrast, the Hermansson et al. reference discloses an absorbent article with "elastic means 11a, 11b, 11c" that are compared by the Examiner to the "primary elastic member" in original claims 1 and 8. The "second elastic means 11b" appears to extend linearly in the central zone of the Hermansson et al. article. However, the Hermansson et al. reference provides no suggestion that the second elastic means 11b keeps such a constant distance from the other elastic means 11b to allow a central zone of the skin-side surface of the absorbent body or the cover between both the elastic means 11b to be formed as a raised portion by an action of a contractile force in the elastic means 11b.

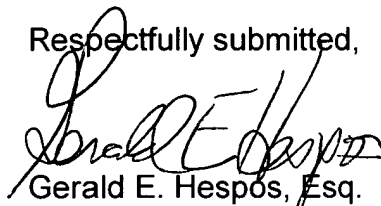
The Hermansson et al. reference shows that the second elastic means 11b consists of two symmetric elastic means as explained in paragraph 0024 of Hermansson et al. However, the Hermansson et al. reference provides no statement that the second elastic means 11b is arranged starting from the peak of the first V-shaped means 11a (see 0021 of Hermansson et al.). Accordingly, the ends of the two second elastic means 11b remain close to each other, and the arrangement is fundamentally different from the concept of amended claims 1 and 8 where the approximately linear portions keep a sufficient distance from each other to allow a central zone between the right and left primary elastic members to be formed as a raised portion by an action of a contractile force in the approximately linear portion.

For these reasons, it is submitted that the Hermansson et al. reference does not anticipate the invention defined by amended claims 1 and 8 and their dependent claims. Furthermore, it is submitted that there is nothing in Hermansson et al. to suggest the significant revisions that would be required to bring that reference closer to the

invention defined by amended claims 1 and 8 and their dependent claims. Accordingly, it is submitted that the amended claims are patentable over Hermansson et al. and allowance is solicited.

The Examiner is urged to contact applicants attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald E. Hespos", is written over the typed name.

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DRAWING AMENDMENTS:

Please enter the Replacement Sheets for FIGS. 10A-10C, 11A-11C, 14A-14C and 15A-C.